

Application/Control Number: 09/380,086

Art Unit: 1638

Proposed examiner's amendments

IN THE CLAIMS:

29. (currently amended) A method for preventing dissemination via pollen of a transgene encoding dog gastric lipase or collagen of interest via pollen from a transgenic plant that has incorporated comprising said transgene, wherein said method comprises

transforming the nuclear genome of a plant with a plasmid vector containing both a gene nucleic acid conferring male sterility and a transgene encoding dog gastric lipase or collagen said transgene of interest, said transgene being genetically linked with said gene nucleic acid conferring male sterility, whereby said transgene is prevented from being disseminated by the pollen of said plant, ~~and wherein said transgene encodes for the dog gastric lipase or collagen,~~ and wherein said gene nucleic acid conferring male sterility and said transgene ~~can be combined together, or are each respectively with operably linked to~~ a transcriptional control system comprising a promoter and a transcriptional terminator, ~~and~~

recovering the ~~compound~~ dog gastric lipase or collagen by extraction, and wherein administering said compound dog gastric lipase or collagen is administered to a human or animal.

In claim 37, line 2, "the" was deleted.

38. (currently amended) The method according to claim 29, wherein ~~said~~ the promoter operably linked to the nucleic acid conferring male sterility ~~permits specific expression gene~~

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~~conferring male sterility in the~~ is an anther-specific promoter, when said gene conferring male sterility and said transgene are each respectively with a transcriptional control system.

In claim 39, line 1, "37" was replaced with --38--.

IN THE ABSTRACT:

The invention relates to ~~novel uses of male sterility for improving the conditions for cultivating transgenic plants on behalf of man and the environment~~ a method for preventing the spread via pollen of a transgene encoding dog gastric lipase or collagen of interest via pollen from transgenic plants that has incorporated comprising said transgene. In this method plants are transformed with a construct comprising the transgene genetically linked to a second construct conferring male sterility on the plant. Plants produced by the method are male sterile, and thus cannot spread the transgene via their pollen.

IN THE TITLE:

~~Novel uses~~ Use of male sterility to prevent transgene spread in plants